

**From:** Miles Johnson  
**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement

I am opposed to the proposed settlement in the Microsoft antitrust trial.

I believe this settlement is not adequate given the findings of fact in the trial. The courts have repeatedly tried to change Microsoft behaviour. The past attempts have not worked. The proposed settlement is just more of the same. The provisions within the settlement only formalize the status quo.

In the past Microsoft has benefited greatly by ignoring the letter and spirit of judicial decrees. The proposed settlement again attempts to improve their behaviour by decree. It did not work before. It will not work now.

In order to be effective, I believe that a solution should include serious structural and punitive components. The proposed settlement lacks both of these elements. To be just, it must punish past law-breaking. To be effective it must change Microsoft or it's environment so that it will stop damaging the interests of the United States. At the very least, something has to change so that Microsoft is not richly rewarded every time they break the law. The proposed settlement is unjust, incomplete and non-functional.

While the Court's desire to achieve a settlement is well-intentioned, it is wrong to adopt an non-functional settlement just for settlement's sake.

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